

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

In re: )  
)  
Marlin Frances Rekow ) Case No. 10-20624-BFK  
)  
Debtor ) Chapter 7

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SunTrust Bank,

Plaintiff

v.

Donald F. King,

Trustee

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**OPPOSITION TO MOTION FOR RELIEF FROM THE AUTOMATIC  
STAY FILED BY SUNTRUST BANK**

COMES NOW SHEILA A. REKOW MENKINS, through undersigned  
counsel, and opposes the Motion for Relief from the Automatic Stay filed by  
SunTrust Bank as follows:

1. Sheila A. Rekow Menkins is the ex-spouse of Debtor. The parties  
divorced on October 2, 2008 by Final Decree of Divorce, entered by the  
Rappahannock County (Virginia) Circuit Court.
2. Mrs. Menkins is the co-owner of the property at issue, namely the real  
property known as 64 Gordon Clan Lane, which is her personal  
residence.

3. Mrs. Menkins has been making all of the mortgage payments on the property since before the entry of the Final Decree of Divorce.
4. Donald F. King, the Chapter 7 Trustee in this case, has been offering the property for sale, although at the present time there is no current listing agreement for the sale of the property.
5. The financial burden of carrying this property has been very difficult for Mrs. Menkins.
6. Mrs. Menkins has been in negotiations with the lender, SunTrust Bank, to modify the terms of the note and deed of trust, and was advised by SunTrust Bank to suspend her mortgage payments pending the loan modification process.
7. There is substantial equity in the property which, when sold, will benefit not only Mrs. Menkins, but also the Chapter 7 bankruptcy estate.

WHEREFORE, the premises considered, Sheila A. Rekow Menkins respectfully requests that this Court

1. Deny the relief requested and dismiss the Motion for Relief; and
2. Grant her such other and further relief as may be appropriate under the circumstances.

Respectfully submitted:

SHEILA A. REKOW MENKINS  
By Counsel

/s/ Madeline A. Trainor

Madeline A. Trainor, Esq. VSB #18531

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Counsel for Sheila A. Rekow Menkins

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Opposition to Motion for Relief From Stay was served either by electronic notification as permitted by the Standing Orders of this Court, or was sent by first class mail, postage prepaid, this 10<sup>th</sup> day of November, 2011 to:

Donald F. King, Esquire  
Odin, Feldman & Pittleman, PLLC  
Chapter 7 Trustee  
9302 Lee Highway, Suite 1100  
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Steven B. Ramsdell, Esquire  
Tyler, Bartl, Ramsdell & Counts  
Counsel for Debtor  
300 N. Washington Street, Suite 202  
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/s/ Madeline A. Trainor

Madeline A. Trainor